37 PAGE 125 ROOK

- (b) (1) Offered to talk and negotiate with the Respondents on June 23, 1975 and on September 23, 1975 - received no response from the Respondents.
- (2) Contact was made by Offutt & Haugh, P.A. with Mr. Jerry Bucey, Zoning Director of the Frederick County Planning and Zoning Commission. Mr. Bucey indicated that if we lose the area in dispute not under a Court Order, then the lot would not qualify under the present Zoning Ordinances and therefore would not be a buildable lot. This took place in the early part of March, 1976.
- (3) Offered entire lot to Respondents at our costs by letter dated August 12, 1976 under signature of George H. Horman, Esq., Offutt & Haugh, P.A.
- (4) Offered to grant a nine (9) foot easement along the northern boundary line to settle the area in dispute.
 - (C) No.
- 9. State whether or not you have contacted anybody working with or for Rothenhoefer Engineers regarding a previous survey made of the property now occupied by Mr. and Mrs. Happ.
- (a) If so, state the substance of such contacts and any statements made by Rothenhoefer Engineers relevant to the present case.
- If so, what was the purpose for contacting Rothenhoefer Engineers?

RESPONSE:

Yes.

- (a) The Tuesday after May 10, 1975, Mr. and Mrs. Ingalls made contact with Rothenhoefer Engineers, 102 West Church Street and talked with Robert and Frank Rothenhoefer concerning the boundary line. Mr. Robert Rothenhoefer advised that we should contact Mr. and Mrs. Happ to see if an agreement could be worked out. Mr. Frank Rothenhoefer advised that it would be a conflict of interest to get into much detail since Mr. and Mrs. Happ were Rothenhoefer clients. About the middle part of May, we contact Robert Rothenhoefer ourselves who again advised that we should talk with Mr. and Mrs. Happ since a lot of detail would involve a conflict of interest for them.
- (b) Since Mr. Happ failed to contact Rothenhoefer Engineers pursuant to our agreement of May 10, we took the initiative to do so.

OFFUTT & HAUGH, P.A.

BY:

George T. Horman

Attorneys for Complainants 22 West Second Street

The second secon

Frederick, Maryland 21701

662-8248

Thomas D. Sangrey

Aimee I. Sangrey

CC. PLAINANTS

LAW OFFICES OFFUTT & HAUGH P.A. OFFUTT BUILDING 22 WEST SECOND STREET FREDERICK, MD. 21701 (301) 662-8248